

Notice of Allowability

Application No.

10/607,244

Examiner

George Eng

Applicant(s)

OLAFSSON, SVERRIR

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2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/25/2003.
2. ☒ The allowed claim(s) is/are 17-68.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 9/15/2004.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 6/25/03-2/6/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


George Eng
Primary Examiner
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DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statements filed 6/25/2003, 8/29/2003, 10/16/2003, and 2/6/2004 have been considered. Accordingly, the document number 5,757,890A cited in information disclosure statement filed 8/29/2003 is crossed out, and document numbers 5,729,594, 5,757,890A, 5,651,060A, and 6,574,239 cited in information disclosure statement filed 2/6/2004 are crossed due to duplication.

Drawings

2. The drawings filed on 6/25/2003 are acceptable subject to correction of the informalities because character of lines, numbers and letters of figures 1-16 are not uniformly thick, and well defined, clean, durable and black (poor line quality) 37 CFR 1.84(i). In order to avoid abandonment of this application, correction is required in reply to the Office action. The correction will not be held in abeyance.

Examiner's Statement of Reasons for Allowance

3. Claims 17-68 are allowed.

4. The following is an examiner's statement of reasons for allowance:

Applicant's invention is drawn to a quick startup procedure for a modem system to shorten the startup time (i.e., the quick startup procedure causes a first modem to place a call to a

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second modem to initialize a capabilities exchange protocol including V.8 or V.8bis by receiving a capabilities request signal, Cre', from the second modem, which the capabilities request signal informs the first modem that the second modem supports the quick startup procedure, and then the first modem transmits a quick connect identifier, QC, to the second modem during receiving the capabilities request signal to cause the modem system to eliminate portions or the entirety of the normal capabilities exchange protocol or protocols).

Applicant's independent claims 33, 39 and 59 each recite, *inter alia*, a first modem configured to connect to a second modem, and further configured to reduce training time and to support a capabilities exchange protocol/V.8bis protocol having a beginning portion/capabilities request signal and a capabilities exchange portion with a structure as defined in the specification (page 16-21) including a receiver configured to receive said beginning portion/capabilities request signal from a second modem in response to said call, and a transmitter configured to transmit a fast connect signal while said receiver receiving said beginning portion/capabilities request signal, in response to said detector detecting said beginning portion of said capabilities exchange protocol, to cause said capabilities exchange portion between said first modem and said second modem to be skipped. Applicant's independent claims 33, 39 and 59 comprise a particular combination of elements, which is neither taught nor suggested by the prior art.

Applicant's independent method claims 17, 23 and 49 each recite, *inter alia*, receiving said beginning portion/capabilities request signal from said second modem in response to said call, detecting said beginning portion/capabilities request signal, and transmitting a fast connect signal during the step of receiving said beginning portion/capabilities request signal, in response to said detecting step, to cause said capabilities exchange between said first modem and second

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modem to be skipped. These steps, in combination of the remaining steps, are neither taught nor suggested by the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chen et al. (US PAT. 6,560,321 B1) discloses a method for reducing startup latency associated with a data transmission system having a calling device configured to communicate with an answer device over a communication channel (the entire patent), but fail to teach the steps of receiving said beginning portion/capabilities request signal from said second modem in response to said call, detecting said beginning portion/capabilities request signal, and transmitting a fast connect signal during the step of receiving said beginning portion/capabilities request signal, in response to said detecting step, to cause said capabilities exchange between said first modem and second modem to be skipped.

Sakayama et al. (US PAT. 5,907,599) discloses a method of shortening the time between the start of transmission and reception of image information by utilizing simplified protocol (col. 8 line 56 through col. 9 line 51), but fail to teach the steps of receiving said beginning portion/capabilities request signal from said second modem in response to said call, detecting

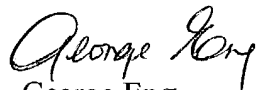
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said beginning portion/capabilities request signal, and transmitting a fast connect signal during the step of receiving said beginning portion/capabilities request signal, in response to said detecting step, to cause said capabilities exchange between said first modem and second modem to be skipped.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tue-Fri 7:30 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


George Eng
Primary Examiner
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